



Procurement Policy Note – Legal requirement to publish on Contracts Finder

Action Note 07/16

18 July 2016

Issue

1. This PPN reminds public bodies of their requirements under regulations 106, 108, 110 and 112 of the Public Contracts Regulations 2015 (PCRs 2015). Contracting authorities must ensure that any procurement opportunities and contract awards above certain low thresholds are published on [Contracts Finder](#).
2. This PPN should be read alongside the [guidance on transparency requirements for publishing on Contracts Finder](#). The PPN provides additional guidance to assist contracting authorities to meet the requirements.

Dissemination and Scope

3. This PPN is directly applicable to Central Government, Agencies, Non Departmental Public Bodies, wider public sector, local authorities and NHS bodies (in-scope bodies). Please circulate this document within your organisation, its Executive Agencies and Non Departmental Public Bodies and to all contracting authorities for which you are responsible, drawing it to the attention of those with a purchasing role.
4. The following bodies are exempt from this requirement:
 - contracting authorities whose functions are devolved or mainly devolved functions of Scotland, Wales or Northern Ireland,
 - the procurement of health care services for the purposes of the NHS within the meaning and scope of the National Health Service (Procurement, Patient Choice and Competition) (No. 2) Regulations 2013
 - maintained schools, academies or sixth form college corporations.

Note: This is not an exhaustive list and you should refer to the Public Contracts Regulations 2015 for further information.

Timing

5. The provisions of this Action Note restate requirements that have been in effect since 26 February 2015.

Action

6. In-scope bodies must publish opportunities and awards on Contracts Finder instead of, or in addition to, other portals or sites. The thresholds are as follows:
 - Central Contracting Authorities: £10,000
 - Sub Central Contracting Authorities and NHS Trusts: £25,000¹
7. Authorities should note that:

Publishing opportunities

- As a minimum, contracting authorities must publish on Contracts Finder the following details: the time by which any interested supplier must respond if it wishes to be considered, how and to whom an interested supplier is to respond, with appropriate contact details and any other requirements for participating in the procurement, (e.g. suitability requirements or explanatory information). Contracts Finder has some additional fields that authorities should complete in order to provide more meaningful data to suppliers.
- The Contracts Finder system is in Beta testing phase and does not currently have an automatic link to the EU portal Tenders Electronic Daily ([TED](#)), so any notice that is published on TED must also appear on Contracts Finder within 24 hours² of the time when the contracting authority becomes entitled to publish the notice at national level.
- When using a procurement portal provider, the information must also be published on Contracts Finder within 24 hours of the time when it is first advertised. Authorities should:
 - Confirm with their portal provider whether there is already a working link to Contracts Finder
 - Ensure that buyers in their organisations know how to use their portal to publish their notices to Contracts Finder and
 - Act promptly to address any issues with their portal provider if notices are not appearing on Contracts Finder.
- Contracting authorities should ensure that key information such as contracting authority name, contract title and description are presented consistently across platforms (e.g. between TED, local portals and Contracts Finder) and between individual notices published by the same authority.

¹ Please [refer to the guidance for further details on thresholds above which you must publish](#).

² Or at the end of the next working day if this period falls on a non-working day.

- Contracting authorities who are publishing notices on behalf of other contracting authorities should ensure that all parties are clearly identified in the description of the contract and/or title.

Publishing contract awards

- Details of all contracts awarded above the relevant threshold should be published. This includes those awarded following call-offs from framework agreements and contracts that may not have been openly advertised, for example, because they have a lower value than an authority's standing order limit.
- It is the responsibility of the contracting authority that is awarding the contract to publish the details of the award on Contracts Finder (unless alternative arrangements to publish have been agreed, for example, where an agent or framework owner has agreed to publish the contract on behalf of the authority).
- Contracting authorities must publish on Contracts Finder details of who has won the contract, the contract value, and (for procurements below the EU thresholds) indicate whether the winning supplier is a small business³ or voluntary organisation or charity. The information must be published in a reasonable time. Further guidance is available [here](#).

Background

8. Contracts Finder was relaunched in February 2015 to be the single, central repository for public sector tenders. It allows suppliers to search (at no cost) for tenders on the basis of sector, location or price as well as find details of contract awards.

Contact

9. Enquiries about this PPN should be directed to the Crown Commercial Service Helpdesk (telephone: 03 5410 2222, email info@crowncommercial.gov.uk). For assistance with registering on Contracts Finder email ContractFinder@Crown.commercial.gov.uk.

³References in this Action Note to small businesses refers to small and medium-sized enterprises (SME). SME means an enterprise falling within the category of micro, small and medium-sized enterprises defined by the [European Commission Recommendation of 6 May 2003](#).